

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AS DESIGNATED OFFICE FOR THE PATENT COOPERATION TREATY**

Applicant: Moerck, *et al.*

U.S. Serial No.: 10/536,856

International Application No.: PCT/US03/38235

International Filing Date: December 2, 1003

For: "RARE EARTH COMPOSITIONS AND STRUCTURES
FOR REMOVING PHOSPHATES FROM WATER"

Authorized Officer: Francine Young

Attorney Dkt.: 07TJ-116264

Confirmation No.: 4641

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE
371 FORMALITIES LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response dated October 26, 2006, and relating to completion of the above-identified application, transmitted herewith are the following:

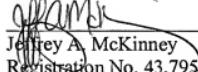
- 1). Copy of the Notification of Defective Response mailed October 26, 2006; and
- 2). Two executed Declarations of the inventors (5 pages).

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 or credit any overpayment, to Deposit Account No. 501395.

November 22, 2006

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 Washington, DC 20591-0000
 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/536,856	Rudi E MOERCK	07TJ-116264
		INTERNATIONAL APPLICATION NO.
		PCT/US03/38235
30764 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP 333 SOUTH HOPE STREET 48TH FLOOR LOS ANGELES, CA 90071-1448	I.A. FILING DATE	PRIORITY DATE
	12/02/2003	12/02/2002
CONFIRMATION NO. 4641		
371 FORMALITIES LETTER		
 *OC000000020972632*		

Date Mailed: 10/26/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 05/27/2005
- Copy of the International Search Report filed on 05/27/2005
- Oath or Declaration filed on 04/10/2006
- U.S. Basic National Fees filed on 05/27/2005
- Assignment filed on 04/10/2006
- Priority Documents filed on 05/27/2005

Applicant's response filed 04/10/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/22/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - executed by Schauer & Prochazka who are not listed on the published application

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,856	PCT/US03/38235	07TJ-116264

FORM PCT/DO/EO/916 (371 Formalities Notice)